

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Civil Action No. 5:21-cv-00237-FL

Symetra Life Insurance Company,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
	)	
Estate of Cassia Renee Duval, James Isaac	)	
Jones, Jr., David Duval and Melissa Jones,	)	
	)	
Defendants.	)	
_____	)	

DEFAULT JUDGMENT

This matter coming on before the undersigned District Court Judge for the Eastern District of North Carolina, upon Plaintiff's Motion for Default Judgment as to Defendant, James Isaac Jones, Jr. and hereby finds the following:

1. Plaintiff filed this Interpleader action on June 1, 2021 and filed an Amended Complaint on June 10, 2021. Plaintiff holds insurance proceeds arising from a life insurance policy issued to Cassia Renee Duval. The insurance proceeds are \$30,000.00 plus applicable interest. Plaintiff makes no claim to these funds, is an impartial stakeholder and stands ready to distribute the funds to the appropriate party or parties. As a result of the circumstances of Ms. Duval's death, Plaintiff seeks the Court's assistance in determining the proper party or parties to receive the insurance proceeds.

2. Defendants, the Estate of Cassia Renee Duval, David Duval and Melissa Jones filed an Answer and Crossclaim against Defendant, James Isaac Jones, Jr. on June 21, 2021 asserting a claim to the funds at issue.

3. Plaintiff served the Summons, Amended Complaint and case opening documents upon the Defendant, James Isaac Jones, Jr. via a designated delivery service on August 17, 2021.

4. An Answer or other response was due from the Defendant on or before September 7, 2021.

5. Defendant, James Isaac Jones, Jr. has failed to file and serve an answer or other responsive pleading to the Amended Complaint.

6. Defendant James Isaac Jones, Jr. is neither an infant nor incompetent.

7. An Entry of Default was properly entered by the Clerk of Court on November 24, 2021. Defendant has not moved to set aside the Entry of Default.

8. By virtue of Defendant James Isaac Jones, Jr.'s failure to answer or otherwise respond to the Amended Complaint, this Defendant has waived any claim to the insurance proceeds at issue.

NOW, therefore, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, Default Judgment is hereby entered against the Defendant, James Isaac Jones, Jr. as to the Amended Complaint and Plaintiff is hereby directed to submit the insurance proceeds in the amount of \$30,000.00 plus accrued interest at 6% per annum, less Plaintiff's filing fee costs to Defendant, the Estate of Cassia Renee Duval, c/o Nicholls & Crampton, P.A. Trust Account P.O. Box 18237, Raleigh, North Carolina, 27619 within ten (10) days of the entry of this Judgment.

IT IS SO ORDERED.

Date: 1/3/22



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U. S. District Court Judge for the Eastern District  
Of North Carolina